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CERTIFICATE OF MAILING

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Attorney Docket No.: SUN03-0041

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Inventor: Kenny C. Gross, et al.
Title: DETECTING AND CORRECTING A FAILURE SEQUENCE IN A COMPUTER SYSTEM BEFORE A FAILURE OCCURS
Filing Date: 11 February 2004
Serial Number: 10/777,532
Group Art Unit: 2184
Examiner: To Be Assigned

Listed below or on an attached Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. §1.56. A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

X This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- X (1) It is being filed within 3 months of the application filing date
-- OR --
- (2) It is being filed within 3 months of entry of a national stage
-- OR --
- X (3) It is being filed before the mail date of the first Office Action on the merits.

- 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
 - a certification as specified in §1.97(e) is provided below; **or**
 - a fee of \$240.00 as set forth in 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement. Please note that a check in the amount of \$240.00 is enclosed in payment.
- 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
 - A. a certification as specified in §1.97(e) is completed below; **and**
 - B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
 - C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

- This statement is being filed after the payment of the issue fee but before issuance of the patent.
- Statement under 37 C.F.R. 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement.

Signature:

A. Richard Park (Reg. No. 41,241)

Date

Respectfully submitted,

By: 

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SHEET 1 OF 1

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. SUN03-0041		APPLICATION NO. 10/777,532		
		APPLICANT Kenny C. Gross, et al.				
		FILING DATE February 11, 2004		GROUP ART UNIT 2181		
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	6,412,026 B1	25 June 2002	Graf	710	18	2 Feb 01
	5,937,366	10 August 1999	Zbytniewski et al	702	108	10 Aug 97
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation
						Yes
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Publication entitled "Proactive Detection of Software Aging Mechanisms in Performance Critical Computers," by Kenny C. Gross et al., Proceedings of the 27 th Annual NASA Goddard/IEEE Software Engineering Workshop, December 2002, XP010639828, pages 17-23.					
EXAMINER		DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.